REMARKS

In the Office Action dated October 29, 2004, claims 1-20 are pending. Claims 1, 3, and 20 are independent claims from which all other claims depend therefrom. Claims 1-3, 7, and 20 have been amended. Claims 21-25 are newly added.

The drawings stand objected to under 37 CFR 1.83(a) for failing to show each feature of the invention specified in the claims. Specifically the limitations of "at least one energy-absorbing device fluidically coupled to said rotating target", as described in original claim 3, are not shown in the figures. Claim 3 has been amended such that the limitations of "at least one energy-absorbing device fluidically coupled to said rotating target" are now "at least one energy-absorbing device mechanically coupled to said housing and proximate said rotating target". Figures 3 and 4 clearly show an energy-absorbing device 78 attached or mechanically coupled to a housing 60 and proximate a rotating target 74. Thus, Applicant submits that each and every element of claim 3 is now shown in the drawings.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. Specifically, the limitations of "at least one energy-absorbing device fluidically coupled to said rotating target", as recited in original claim 3 should be described in the specification. As stated and provided above, claim 3 has been amended. A description is provided in paragraphs [0027] and [0028] for the mechanical coupling of the energy-absorbing device 78 to the housing 60 and for the proximity of the energy-absorbing device 78 with respect to the rotating target 74.

Claims 1-20 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically the term "fluidically" in independent claims 1, 3, and 20 is a relative term, which renders

the claim indefinite. Applicant submits that the term "fluidically" has been removed from claims 1, 3, 7, and 20.

Claims 1-10 and 13-20 stand rejected under 35 U.S.C. 102(b) as being anticipated by Christean et al. (USPN 5,588,035).

Claim 1 recites an energy-absorbing device for an imaging tube that has a housing. The energy-absorbing device includes an energy-absorbing body that is mechanically coupled to the housing and is adapted to absorb kinetic energy directed at the housing and generated from the radial release of a material fragment within the imaging tube.

Christean discloses an x-ray tube having isolating members 27 mounted between and coupled directly to an imaging tube housing 10 and vacuum envelope 11.

Although Christean discloses isolating members for the suppression of vacuum envelope vibration, Christean does not teach or suggest an energy-absorbing body that is mechanically coupled to the housing and is adapted to absorb kinetic energy directed at the housing and generated from the radial release of a material fragment within the imaging tube. The isolating members of Christean do not absorb kinetic energy directed at an imaging tube housing or kinetic energy generated from the radial release of a material fragment within an imaging tube, but rather suppress vibration of a vacuum envelope. Thus, Applicant submits that Christean fails to teach or suggest each and every element of claim 1.

Claim 3 recites an imaging tube that includes a housing. A rotating target is coupled within the housing and generates an energy wave. An energy-absorbing device is mechanically coupled to the housing, is separated from an imaging tube frame, and is proximate the rotating target. The energy-absorbing device is adapted to absorb energy within the energy wave.

As stated above the isolating members 27 of Christean are directly coupled to the vacuum envelope 11. This is unlike the energy-absorption device of claim

3. The energy-absorption device of claim 3 is separated from the imaging tube frame. In other words, the energy-absorption device is not attached to or in contact with the imaging tube frame. Thus, Applicant submits that Christean fails to teach or suggest each and every element of claim 3.

Claim 20 recites an imaging system that has an imaging tube. The imaging tube includes a housing. A rotating target is coupled within the housing and generates a kinetic energy wave from the radial release of a material fragment within the housing. An energy-absorbing device is mechanically coupled to the housing and is proximate the rotating target. The energy-absorbing device absorbs energy within the kinetic energy wave, which is directed at the housing.

The isolating members 27 of Christean do not absorb kinetic energy waves directed at an imaging tube housing and do not absorb kinetic energy waves generated from the radial release of a material fragment within the housing. The isolating members 27 of Christean simply prevent vibration of a vacuum envelope. Thus, Applicant submits that Christean fails to teach or suggest each and every element of claim 20.

In order for a reference to anticipate a claim the reference must teach or suggest each and every element of that claim, see MPEP 2131 and *Verdegrad Bros. V. Union Oil Co. of California*, 814 F.2d 628. Thus, since each and every element of claims 1, 3, and 20 are not taught or suggested by Christean, Applicant submits that claims 1, 3, and 20 are novel, nonobvious, and are in a condition for allowance at least in view of Christean. Also, since claims 2, 4-10, 13-19, and 21-22 depend from claims 1 and 3, respectively, they are also novel, nonobvious, and are in a condition for allowance for at least the same reasons.

Claims 3-12 stand rejected under 35 U.S.C. 102(e) as being anticipated by Artig et al. (USPN 6,490340 B1).

Artig discloses an x-ray generating apparatus that includes a shroud 35 and a vacuum enclosure 10. A set of fins 34 reside between and are directly

coupled to the shroud 35 and the vacuum enclosure 10. The fins are used to transfer heat from the vacuum enclosure to the shroud 35.

Artig, like Christean, also fails to teach or suggest an energy-absorbing device that is mechanically coupled to an imaging tube housing, that is separated from an imaging tube frame, and that is proximate a rotating target. The fins 34 are not separated from the vacuum enclosure 10. Thus, Artig also fails to teach or suggest each and every element of claim 3.

Therefore, since Artig fails to teach or suggest each and every element of claim 3, Applicant submits that claim 3 is also novel, nonobvious, and is in a condition for allowance in view of Artig. Applicant further submits that since claims 4-12 depend from claim 3, they are also novel, nonobvious, and are in a condition for allowance for at least the same reasons.

In light of the amendments and remarks, Applicant submits that all of the objections and rejections are now overcome. The Applicant has added no new matter to the application by these amendments. The application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,

ARTZ & ARTZ P.C.

Jeffrey J. Chapp, Reg. No. 50,579
28333 Telegraph Road, Suite 250
Southfield, MI 48034
(248) 223-9500

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